

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

REV. WILLIE McCRANIE,

Plaintiff,

v.

STEVE LARKINS, et al.,

Defendants.

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No. 4:10-CV-312 CAS

ORDER

This matter is before the Court upon its own motion. Plaintiff Rev. Willie McCranie, originally filed this action along with Eugene Kenneth Jones,¹ who was subsequently stricken from this action. According to the complaint and its supporting documentation, Jones drafted the complaint on plaintiff McCranie's behalf. Plaintiff McCranie has since submitted a letter to the Court in which he states that some of the defendants named in the complaint are not persons who he intended to sue. [Doc. 8]. Because plaintiff McCranie appears to be unaware of the contents of the complaint, the Court will order plaintiff to submit an amended complaint within thirty days of the date of this Order. Plaintiff is warned that the filing of an amended complaint replaces the original complaint, and claims that are not realleged are deemed abandoned. E.g., In re Wireless Telephone Federal Cost Recovery Fees Litigation, 396 F.3d 922, 928 (8th Cir. 2005). If plaintiff McCranie fails to file an amended complaint within thirty days, the Court will dismiss this action without prejudice.

¹Jones is a frequent filer and is prohibited from filing cases in forma pauperis under 28 U.S.C. § 1915(g).

Accordingly,

IT IS HEREBY ORDERED that plaintiff Rev. Willie McCranie shall submit an amended complaint within thirty (30) days of the date of this Order.

IT IS FURTHER ORDERED that if plaintiff fails to submit an amended complaint, the Court will dismiss this action without prejudice.

IT IS FURTHER ORDERED that if plaintiff submits an amended complaint, the Court will submit the amended complaint for review under 28 U.S.C. § 1915(e).

IT IS FURTHER ORDERED that the Clerk shall mail to plaintiff a copy of the Court's form Prisoner Civil Rights Complaint under 42 U.S.C. § 1983.

A handwritten signature in cursive script, appearing to read "Charles A. Shaw", is written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 14th day of April, 2010.